

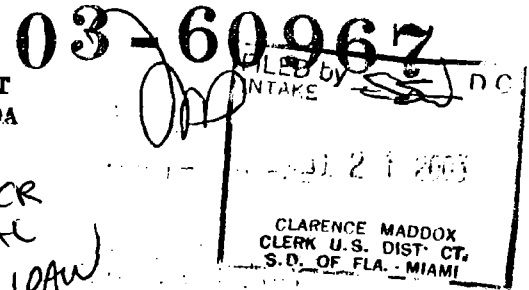
IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

David I. Altman,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

Case #: 02-60601-CIV



**CIV - LENARD**

Motion For Return Of Property Pursuant To F.R.C.P. Rule 41(e)

COMES NOW the Petitioner, David I. Altman, PRO SE, before this Honorable MAGISTRATE JUDGE WHITE, Moving for a return of property pursuant to Federal Rules of Criminal Procedure, Rule 41(e), and that the Court issue an Order requiring the Government (Specifically, the Miami, FL Office of the Federal Bureau of Investigation) to return to him certain items of property that were seized from his residence at 1828 S.W. 85th Ave., in Pembroke Pines, Florida. An Attached list of the property seized is attached hereto as Exhibit "A." The Petitioner is entitled to the lawful possession of this property, but it has not yet been returned to him by the FBI.

In general, the property sought to be returned includes various computer disks (ZIP disks, 5 1/4" disks, 3 1/2" disks and CD-Rom disks) which were seized from the Petitioner's computer room, but which have nothing at all to do with his crime of conviction. These disks contain information such as commercially available software programs, including Microsoft Office 2000, personal files such as resumes, and True-Type Fonts and other windows drivers and support files.

I respectfully pray that this Honorable Court will enter an order requiring the immediate return of these items, by U.S. Mail, Ground UPS or best service available to his Attorney-in-Fact, Laurinda Lee Brown, at 918 W. Lakeside #14, Corpus Christi, TX 78418, since I am presently incarcerated at the Federal Correctional Institution in Butner, North Carolina.

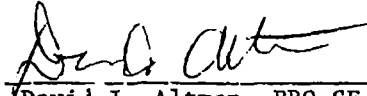
Submitted this 9 day of April, 2003.

eat/div Brown (2055)  
Case # 03-60967  
Judge JAL Mag PAW  
Morn Hp — Fee pd \$ —  
Receipt # —

per Betty/order

37  
[Signature]

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David I. Altman", written over a horizontal line.

David I. Altman, PRO SE  
Reg. No. 55477-004 Durham-B  
Low Security Correctional Institution  
P.O. Box 959  
Butner, NC 27509-0999

Exhibit "A" 1 of 2

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/6/00

On 6/6/2000, a search warrant signed by the Honorable Barry S. Seltzer, United States Magistrate Judge, United States District Court, Southern District of Florida, was executed at 1320 SW 85th Terrace, Pembroke Pines, Florida, 33025.

Present for the search were:

Broward Sheriffs Deputy Robert DeYoung, Fort Lauderdale Police Department Detective Richard Love, and Miami Dade Police Department Detective Douglas Mew.

Federal Bureau of Investigation Special Agents Sandra S. Farrow, Terri Patterson, and Deborah J. Cool (affiant).

The search commenced at approximately 6:40 a.m. The following items were seized from the residence:

From computer room table

- Item 1: IBM clone cpu -no identifiers
- Item 2: one (1) Iomega JAZ drive with power cord
- Item 3: one (1) Memorex CDR - 74 min.
- Item 4: one (1) Western Digital hard drive - model

wm681

beige

container

- clear

Item 5: thirty (30) diskettes in small container -  
Item 6: seventy-five (75) diskettes in medium  
Item 7: sixty-eight (68) diskettes in medium container  
Item 8: four hundred seventy-seven (477) diskettes (3  
bags of 50 each, 1 jaz box w/327)

From computer room closet

- Item 9: eighty-six diskettes in medium box - beige
- Item 10: one caviar 280 hard drive - model WDAC280-50  
p/n 99-004080-00

From computer room credenza

- Item 11: eighty-four (84) video tapes

From computer room closet

Investigation on 6/6/00 at Pembroke Pines, Fl.

File # 305A-BA-80998-E4962-MM

Date dictated 6/6/00

by SA Deborah J. Cool *DTL*

*158 d/c 01.302*

00337

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*305A-BA-80998-E4962-MM*

2 of 2

FD-302a (Rev. 10-6-95)

305A-BA-80998-E4962-MM

Continuation of FD-302 of Pembroke Pines, FL . On 6/6/00 . Page 2

Item 12: one (1) book "The Last Days of Summer" by Jack Sturges

From master bedroom closet (#1) by bed

Item 13: thirty-five (35) video tapes and twenty (20) books

From master bedroom closet (#2)

Item 14: twenty-eight (28) video tapes

From living room

Item 15: eleven (11) video tapes

All items seized were recorded on a FD-597 (Receipt of Property Received/Returned/Released/Seized). Copies of the search warrant and the completed and signed FD-597 were left with David Altman and Trudy Altman (nee Wasserberg) at 1320 SW 85th Terrace, Pembroke Pines, Florida, 33025.

The search was completed and the scene cleared at approximately 8:14 p.m.

All seized items were transported to the Miami FBI Office for storage and analysis.

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion For Return Of Property Pursuant To F.R.C.P. Rule 41(e) has been mailed, with first-class postage pre-paid affixed thereto, to the following addresses:

U.S. District Court  
301 N. Miami Ave.  
Miami, FL 33152

U.S. District Attorney  
Kathleen Rice  
500 E. Broward Blvd.  
Ft. Lauderdale, FL 33394

On this 4 day of April, 2003.

By: David I. Altman, PRO SE  
Reg. No. 55477-004 Durham-B  
Low Security Correctional Institution  
P.O. Box 999  
Butner, NC 27509-0999